

**Subject:** Fwd: Re: A smaller matter  
**From:** Nate Kaplan <nate.kaplan@lacity.org>  
**Date:** 02/21/2012 07:51 PM  
**To:** Don Duckworth <duckworth.donald@gmail.com>, jruhlen916 <jruhlen916@aol.com>

----- Forwarded message -----

From: "Michael LoGrande" <[michael.logrande@lacity.org](mailto:michael.logrande@lacity.org)>  
Date: Feb 16, 2012 1:29 PM  
Subject: Re: A smaller matter  
To: <[mike.bonin@lacity.org](mailto:mike.bonin@lacity.org)>, <[dan.scott@lacity.org](mailto:dan.scott@lacity.org)>  
Cc: <[Whitney.Blumenfeld@lacity.org](mailto:Whitney.Blumenfeld@lacity.org)>, <[Nate.Kaplan@lacity.org](mailto:Nate.Kaplan@lacity.org)>

Hi Mike,

Our staff has been working with the applicant to try and find a solution for a few weeks. Given the City's regulations we do not have the ability to bypass the CDO.

We have reviewed the provisions of the CDO, Sec 13.08 of the LAMC regarding the review of projects in CDO and Sections 12.40 and 12.41 of the LAMC regarding landscaping.

1. The proposed enclosure meets the definition of a project in the CDO.
2. As a project, this review requires the filing of Design Overlay Plan Approval Case with a Determination Letter to be issued by the Director. This requires the payment of fees, appropriate processing times and the issuance of a determination letter with findings that it is in compliance with the provisions of the CDO.
3. To accommodate the applicant, (after several discussions) the Dept decided that we would "Sign Off" on the plans without the filing of a case provided that the project comply with all provisions of the CDO and the LAMC. To meet that level of documentation we required the following:

attractive design that complements the existing main structures. Design cues should come from existing buildings and not be just a cinder block wall with stucco. The landscaping is to use Native drought tolerant plants and that the submitted plans provide a proposed plant list that is "stamped by a Landscape practitioner". Note: the "native drought tolerant plant" requirement is in Sec No 12.41 and allows us to get around the irrigation requirement as discussed previously.

4. Please note: The current plans for the enclosure we reviewed do not meet the standards of the CDO. As such, it is not likely that Director can make the findings that the project substantially complies with the CDO Guidelines and Standards.

I understand at times the regulations seem burdensome, but the CDO is in place and our staff appears to have found a solution that is business friendly while upholding the intent of the CDO.

Let me know if you have any questions.

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**From:** mike bonin <[mike.bonin@lacity.org](mailto:mike.bonin@lacity.org)>  
**To:** mike bonin <[mike.bonin@lacity.org](mailto:mike.bonin@lacity.org)>  
**Cc:** Michael LoGrande <[Michael.LoGrande@lacity.org](mailto:Michael.LoGrande@lacity.org)>; Whitney Blumenfeld

<[Whitney.Blumenfeld@lacity.org](mailto:Whitney.Blumenfeld@lacity.org)>; Nate Kaplan <[Nate.Kaplan@lacity.org](mailto:Nate.Kaplan@lacity.org)>

**Sent:** Thu Feb 16 11:35:06 2012

**Subject:** Re: A smaller matter

Mike

Resending this. The councilman would like to get some word back to the Westchester folks that there is hope for a resolution.

Thanks

Sent from my iPad

On Feb 15, 2012, at 1:48 PM, mike bonin <[mike.bonin@lacity.org](mailto:mike.bonin@lacity.org)> wrote:

Mike-

Thanks for the doing the call about New West. Bill sent a letter to PLUM today on the matter. I'll make sure staff sends you a copy.

On a smaller, but time-sensitive matter, we could use your help trying to untangle some red tape over a trash enclosure in Westchester, at the Westchester Town Center, off Sepulveda. Right now, the trash bins are exposed, and the owners and neighbors don't like the way it looks. The owners are willing to enclose the bins, but the City is insisting on so many bells and whistles that the project is too costly and complicated for them to want to do it. If the City stands strong on all its demands, it will be a lose-lose, with nothing happening, and the current ugly bins remaining open to public view. We would like to prevent the lose-lose from happening, and allow the owner to enclose the bins in something less expensive than a Trump Hotel.

Here is some more detailed info:

#### Current State

The Westchester Town Center BID and Ohio Teachers Association (the owners of the parking lot behind Kohls) are requesting a variance or exemption from the current CDO landscaping requirements for a trash enclosure. Currently, the trash bins do not have an enclosure and are scattered in the north/west section of the parking lot.

#### The Ask

The BID and the owners are asking for this exception because the costs of building the trash enclosures per the specific guidelines of the CDO are too costly, because Planning is asking for them to build new irrigation lines which would cost more than the trash enclosures themselves. This does not necessarily need to happen per the CDO because this specific requirement is phrased as a “should” not “shall”. A Director’s determination could easily help the BID and the owners acquire the authorization to proceed on a project that everyone in the community would be very proud of. Planning also stated that they not only didn’t want to comply with the intent of the CDO but the City Landscape Requirements

### Objections from Planning

Planning originally wanted to stick by the CDO’s specific language and require the BID and the owner to install a new irrigation system to water the creeping vines to make sure they don’t die in the future. Planning now says that they want an attractive design that complements the existing main structures. Design cues should come from existing buildings and not be just a cinder block wall with stucco. Planning also wants them to use drought tolerant plant and provide a proposed plant list must be included and “stamped by a Landscape practitioner” proving that these plants are actually native and drought tolerant. Planning is also requesting a professional rendering of the proposed trash enclosure. The BID and the owner believe having an architect to draft a rendering for a trash enclosure is too expensive and not necessary for this small scale project.

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### Deadline

If the owners do not feel comfortable that they will receive City Planning approval by the end of this week, they say will decide to not build anything. (This issue has been going on for months.)

\*Dept. Planning Staff = Kevin Jones and Conni Pallini

Thanks for any help you can provide.

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